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JUL 20 2005

OFFICE OF PETITIONS

In re Application of :
Darren Schmidt, Ram Rajagopal, :
Lothar Wenzel and Dinesh Nair :
Application No. 09/894,272 :
Filed: June 28, 2001 :
For: SYSTEM AND METHOD FOR :
PERFORMING EDGE DETECTION IN AN :
IMAGE :

**DECISION REFUSING STATUS
UNDER 37 CFR 1.47(a)**

This is in response to the "Petition Under 37 CFR 1.47(a)," filed June 27, 2005.

The petition is dismissed.

Rule 47 applicant is given TWO MONTHS from the mailing date of this decision to reply, correcting the below-noted deficiencies. Any reply should be entitled "Request for Reconsideration of Petition Under 37 CFR 1.47(a)," and should only address the deficiencies noted below, except that the reply may include an oath or declaration executed by the non-signing inventor. **FAILURE TO RESPOND WILL RESULT IN ABANDONMENT OF THE APPLICATION.** Any extensions of time will be governed by 37 CFR 1.136(a).

The above-identified application was filed on June 28, 2001 and named Darren Schmidt, Ram Rajagopal, Lothar Wenzel and Dinesh Nair as joint inventors.

However on September 30, 2004, a non-final Office action was mailed, requiring a non-defective substitute declaration.

In response, on June 27, 2005, the instant petition was filed.

A grantable petition under 37 CFR 1.47(a) requires:

- (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings);
- (2) an acceptable oath or declaration;

(3) the petition fee; and

(4) a statement of the last known address of the non-signing inventor.

Applicant lacks item (2), as set forth above.

A non-defective substitute declaration still has not been presented. A substitute declaration that lists all of the inventors must be submitted. Furthermore, the declaration must be signed by all the available joint inventors with the signature block of the non-signing inventor left blank. See MPEP 409.03(a).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop Petition
 Commissioner for Patents
 Box 1450
 Alexandria, VA 22313

By FAX: (571)273-8300
 Attn: Office of Petitions

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Telephone inquiries related to this decision should be directed to the undersigned at (571) 272-3228.



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Office of Petitions/Patent
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